IN THE CLAIMS:

1-27. (Canceled)

28. (Currently Amended) A method, comprising:

offering to provide, over a data network by a content provider to a user, ~~over a data network, to provide~~ a content with a first option ~~of making a choice on a content-by-content basis~~ to receive the content without advertisement and a second option to receive the content with advertisement, the offering occurring before providing the content and the content excluding advertisement;

providing the content over the data network, from the content provider to the user ~~over the data network, the content,~~ based on one of the first and the second options the user elects so that the content is not provided over the data network until the user makes the election, wherein

~~the content excludes advertisements,~~

the user is to pay a choice compensation when the user chooses the first option, and

the user is not to pay the choice compensation when the user chooses the second option.

29. (Currently Amended) The method of claim 28, wherein the data network comprises a content display device~~, an intelligent television, a computer, a personal digital assistant or a cellular telephone~~.

30. (Currently Amended) The method of claim 28, wherein the data network comprises a communication layer, a choice compensation module or a content module.

31. (Currently Amended) The method of claim 29, wherein the content display device includes an intelligent television, a computer, a personal digital assistant, [[and]] or a cellular telephone.

32. (Currently Amended) The method of claim 28, wherein the user includes a household [[and]] or an individual.

33. (Previously Presented) The method of claim 28, wherein the choice compensation is determined based on the rating of the content.

34. (Previously Presented) The method of claim 33, wherein the choice compensation is determined based on the viewing habit and/or demography of the user.

35. (Previously Presented) The method of claim 28, wherein the user chooses one of the first and the second options by transmitting the choice over the data network to the content provider.

36. (Previously Presented) The method of claim 28, wherein the choice compensation is a fee payable to the content provider by the user, wherein the fee is determined based on the content offered.

37. (Previously Presented) The method of claim 28, wherein the advertisement to be received with the content offered when the second option is chosen is embedded in the content.

38. (Previously Presented) The method of claim 28, wherein the user comprises a subscribing individual user or a subscribing user household.

39. (Currently Amended) The method of claim 28, wherein the content is determined based on the user's viewing habit, [[or]] preference or [the user's] selection.

40. (Currently Amended) A system for providing content over a data network, comprising:

a content display device for presenting content to a user; and

a content server in communication with the content display device, capable of[[:]]

offering to provide the user over the data network the content with a first option of receiving the content without advertisement and a second option of receiving the content with advertisement, the offering occurring before providing the content, wherein the content excludes advertisement, and

providing the content over the data network, from a content provider to the user over the data network, the content, based on one of the first and the second options the user chooses so that the content is not provided over the data network until the user makes the choice, wherein,

~~the content excludes advertisements,~~

the user is to pay a choice compensation when the user chooses the first option, and

the user is not to pay the choice compensation when the user chooses the second option.

42. (Previously Presented) The system of claim 40, wherein the content comprises visual content including video.

43. (Previously Presented) The system of claim 40, wherein the content includes audio.

44. (Previously Presented) The system of claim 40, wherein the content includes radio.

45. (Currently Amended) A machine readable medium having stored thereon instructions that, when executed by a machine, result in the following:

offering to provide over a data network, by a content provider to a user ~~over a data network, to provide~~, a content with a first option to receive the content without advertisement and a second option to receive the content with advertisement, the offering occurring before providing the content, wherein the content excludes advertisement;

providing the content over the data network, from the content provider to the user ~~over the data network, the content~~ based on one of the first and the second

options the user chooses <u>so that the content is not provided over the data network until</u> <u>the user makes the choice</u>, wherein

the content excludes advertisements,

the content provider receives from the user a choice compensation when the user chooses the first option, and

the content provider does not receive the choice compensation when the user chooses the second option.

46. (Currently Amended) A method for a content provider, comprising:

offering <u>to provide content</u>[,] over a data network, to provide content to a user with a first option to receive the content without advertisement and a second option to receive the content with advertisement, wherein <u>the offering occurring before</u> <u>providing the content and</u> the content excludes advertisements <u>excluding</u> <u>advertisement</u>;

receiving, from the user, a choice of either the first option or the second option that the user elects <u>so that the content is not provided over the data network until the</u> <u>user makes the election</u>;

providing <u>the content</u>, over the data network, the content to the user based on the received choice; and

receiving a choice compensation if the user elects the first option.

47. (Currently Amended) A machine readable medium having stored thereon instructions that, when executed by a machine, result in the following:

offering <u>to provide</u>, over a data network, to provide content to a user with a first option to receive the content without advertisement and a second option to

receive the content with advertisement, ~~wherein~~ the offering occurring before providing the content and the content ~~excludes advertisements~~ excluding advertisement;

receiving, from the user, a choice of either the first option or the second option that the user elects so that the content is not provided over the data network until the user makes the election;

providing, over the data network, the content to the user based on the received choice; and

receiving a choice compensation if the user elects the first option.

48. (Currently Amended) A method for a content user, comprising:

receiving an offer over a data network from a content provider ~~over a data network, an offer~~, to provide content with a first option to receive the content without advertisement and a second option to receive the content with advertisement, the offer occurring before providing the content, wherein the content excludes advertisement;

electing either the first option or the second option;

transmitting the election to the content provider;

paying a choice compensation if the election corresponds to the first option; and

receiving the content transmitted by the content provider over the data network based on the election.

49. (Currently Amended) A machine readable medium having stored thereon instructions that, when executed by a machine, result in the following:

receiving an offer over a data network from a content provider ~~over a data network, an offer,~~ to provide content with a first option to receive the content without advertisement and a second option to receive the content with advertisement, the offer occurring before providing the content, wherein the content excludes advertisement;

electing either the first option or the second option;

transmitting the election over the data network to the content provider;

paying a choice compensation if the election corresponds to the first option; and

receiving the content transmitted by the content provider over the data network based on the election.